

**DECLARATION AND PETITION**

As a below named inventor(s), We hereby declare that:

Our residence(s), post office address and citizenship are as stated below next to our name(s).

We believe we are the original first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **Transportable Solid Oxide Fuel Cell Generator** the specification of which is attached hereto and was filed on August 19, 2003.

We hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56(a).

**PRIOR UNITED STATES APPLICATION(S)**

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<b>Application Serial No.</b>	<b>Filing Date</b>	<b>Status</b>
None	August 19, 2003	Pending

We hereby declare: All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore We pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of sole or first inventor **Alan Niedzwiecki**

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence:

Citizenship:

Post Office Address

Full name of second inventor **Andris Abele**

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence:

Citizenship:

Post Office Address

Full name of second inventor **Neel Sirosh**

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence:

Citizenship:

Post Office Address

WLA-SRV01M96189v01V70278.010500

**PATENT**

**Matter No.:** 70278.020100

**Applicant:** Niedzwiecki, et al.

**Title:** Transportable Solid Oxide Fuel Cell Generator

**Serial No.:** NA

**Filed:** August 19, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner of Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY**

Sir:

Quatum Technologies, having become the owner of all rights to this application by virtue of an Assignment executed by the inventor concurrently with the execution of the application, the Assignment being submitted with this power of attorney for recording, appoints:

Mark H. Krietzman, Reg. 41,128  
Charles Berman, Reg. 29,249  
Christopher Darrow, Reg. 30,166  
Nassif, Claude, Reg. 52,061  
Margo Maddux, Reg. 50,962  
Albert L. Jacobs, Jr., Reg. 22,211  
Eugene C. Rzucidlo, Reg. 31,900

Jesse D. Reingold, Reg. 20,461  
Joseph M. Manak, Reg. 33,013  
Gerard F. Diebner, Reg. 31,345  
Mark A. Farley, Reg. 33,170  
Adam B. Landa, Reg. 35,236

Alan P. Force, Reg. 39,673  
Elizabeth S. Lapadula, Reg. 46,001  
Brad S. Needleman, Reg. 40,416  
Paul J. Sutton, Reg. 24,201  
Anthony Barkume, Reg. 33,831  
Louis J. Bavaso, Reg. 24,075

whose address is:

**GREENBERG TRAURIG LLP**  
2450 Colorado Avenue, Suite 400E  
Santa Monica, California 90404  
Telephone (310) 586-7700  
Fax (310) 586-7800  
**Attn: Mark Krietzman**  
Direct Telephone: (310) 586-7812

their attorneys to prosecute this application and to transact in connection with the application all business in the Patent and Trademark Office and before competent International Authorities including the World Intellectual Property Organization.

To the best of my knowledge and belief, title is in the assignee identified above. I am empowered to act on behalf of the assignee.

I declare that all statements made in this document of my own knowledge are true, and that all statements made on information and belief are believed to be true. I make these statements with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing from the application.

**Quantum Technologies**

Date: \_\_\_\_\_, 2003

By \_\_\_\_\_  
(Name)

(Title)

**ASSIGNMENT**

WHEREAS, We, Alan Niedzwiecki, Andris Abele and Neel Sirosh, the undersigned inventors (ASSIGNORS), have invented **Transportable Solid Oxide Fuel Cell Generator**, for which we are about to file application for letters patent of the United States. We have executed the application concurrently with executing this assignment. We are the joint owners of this invention and improvements.

WHEREAS, Quantum Technologies, (ASSIGNEE) is a corporation organized and existing under the laws of California having a place of business at 17872 Cartwright Road, Irvine, California, ASSIGNEE desires to acquire the entire right, title and interest in and to the inventions, applications and letters patent to be granted and issued for the inventions and applications.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) by the ASSIGNEE to each of us paid, and other valuable consideration, the receipt and legal sufficiency of all of which we acknowledge, we, the ASSIGNORS, have sold and do hereby sell, assign, transfer and set over unto the ASSIGNEE, its successors and assigns, the entire right, title and interest:

in and to the inventions and all improvements thereon,

in and to the application for letters patent thereon,

in and to applications pertaining to or based upon the inventions and applications, including divisional and continuing applications and continuations-in-part,

in and to any and all letters patent which may be granted and issued on the inventions and applications, or any of them, not only for, to and in the United States of America, its territories and possessions, but for, to and in all foreign countries, together with and including all priority rights based upon any and all applications in the United States of America covered by this Assignment, and

in and to any right to sue for past infringement of the inventions, improvements, applications and letters patent.

And for the above-named considerations, we agree that we will, at the request of the ASSIGNEE, execute any and all applications for letters patent for the inventions and any and all other papers and documents and do all other and further lawful acts that the ASSIGNEE may deem necessary or desirable to obtain letters patent on the inventions, to secure the grant of such letters patent and to perfect and vest in the ASSIGNEE the entire right, title and interest in the inventions, applications and letters patent.

And for the above-named considerations, we authorize and empower the ASSIGNEE, its successors and assigns, to apply for and obtain, in its or their own names, letters patent for the inventions before competent International Authorities including the World Intellectual Property Office and in any and all countries foreign to the United States in which applications for letters patent can be so made or letters patent so obtained.

**Dated:** \_\_\_\_\_, 2003

\_\_\_\_\_  
Name:

State of California     )  
                                  ) ss  
County of Los Angeles   )

\_\_\_\_\_  
Address:

On \_\_\_\_\_, 2003, before \_\_\_\_\_ personally appeared \_\_\_\_\_, ☐ personally known to me or ☐ proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(SEAL)

\_\_\_\_\_  
Notary Public

**Dated:** \_\_\_\_\_, 2003

State of California )  
County of Los Angeles ) ss

Name:  
Address:

On \_\_\_\_\_, 2003, before \_\_\_\_\_ personally appeared \_\_\_\_\_, ☐ personally known to me or ☐ proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

**Dated:** \_\_\_\_\_, 2003

State of California           )  
County of Los Angeles       ) ss

Name:  
Address:

On \_\_\_\_\_, 2003, before \_\_\_\_\_ personally appeared \_\_\_\_\_, ☐ personally known to me or ☐ proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public